From the

INTERNATIONAL PRELIMI DEAUTHORITY OCT 2005 To: VINIT G. KATHARDEKAR PCT PHARMACYCLICS, INC. 995 E. ARQUES AVENUE NOTIFICATION OF TRANSMITTAL OF SUNNYVALE, CA 94085 INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty) (PCT Rule 71.1) Date of mailing (day/month/year) Applicant's or agent's file reference **IMPORTANT NOTIFICATION** 4239.01 WO International application No. International filing date (day/month/year) Priority date (day/month/year)

Applicant

PHARMACYCLICS INC.

PCT/US04/10481

The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

05 April 2004 (05.04.2004)

- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- 3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

## 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3201

Authorized officer

Jasin Johnson

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04 April 2003 (04.04.2003)

Form PCT/IPEA/416 (January 2004)

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference		EOD ELIDTHED AC	TION	S. F. DOMMPALIA			
4239.01 WO		FOR FURTHER ACTION		See Form PCT/IPEA/416			
International application No.		International filing date	(day/month/year)	Priority date (day/month/year)			
PCT/US04/10481		05 April 2004 (05.04.20		04 April 2003 (04.04.2003)			
1	• •	or national classification ar					
IPC(7): A61B 5/055, A61B 10/00, C07B 47/00, A61K 31/555, A61K 31/40, C07D 245/00, C07D47/00 and US C1.: 540/472, 540/145, 424/9.362, 424/9.61, 540/145, 534/15, 514/185, 514/410							
Applicant							
PHARMACYCLICS, INC.							
<ol> <li>This report is the international preliminary examination report, established by this International Prelimin Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> </ol>							
2. This REPOR	T consists of	a total of <u></u> sheets, inc	luding this cover sheet	•			
3. This report is	also accompa	anied by ANNEXES, co	mprising:				
a. (sent to the applicant and to the International Bureau) a total of sheets, as follows:							
· 🖂	sheets of the	description, claims and/	or drawings which hav	ve been amended and are the basis of			
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).							
			•	rity considers contain an amendment			
that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.							
b. (ser		• •		and number of electronic carrier(s))			
	_ , containing	g a sequence listing a	nd/or tables related t	hereto, in electronic form only, as			
indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).							
4. This report contains indications relating to the following items:							
,			wing items.				
Box No. I Basis of the report							
Box No. II Priority			•				
Box N	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability						
Box N	o. IV Lac	ck of unity of invention					
Box N		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
Box N		rtain documents cited	•				
Box N	o. VII Cei	ertain defects in the international application					
Box N	Box No. VIII Certain observations on the international application						
Date of submission of the demand		Date of completion of this report					
04 January 2005 (04.01.2005)			22 November 2005 (22.11.2005)				
Name and mailing address of the IPEA/ US			Authorized officer				
Mail Stop PCT, At Commissioner for			(Colerio)	Ball-Harrisfn			
P.O. Box 1450 Alexandria, Virginia 22313-1450			Jason Johns	Spirit The same of			
Facsimile No. (571) 273-3201			Telephone No. (57)	11272-1600			

Form PCT/IPEA/409 (cover sheet)(April 2005)

Box No. I Basis of the report

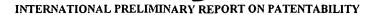
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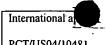
1. With regard to the language, this report is based on:					
the international application in the language in which it was filed.					
a translation of the international application into English, which is the language of a translation furnished for the purposes of:					
international search (under Rules 12.3 and 23.1(b))					
publication of the international application (under Rule 12.4(a))					
international preliminary examination (under Rules 55.2(a) and/or 55.3(a))					
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):					
the international application as originally filed/furnished					
the description:					
pages 1-35 as originally filed/furnished					
pages* NONE received by this Authority on					
pages* NONE received by this Authority on					
the claims:					
pages 36-45 as originally filed/furnished					
pages* NONE as amended (together with any statement) under Article 19					
pages* NONE received by this Authority on  pages* NONE received by this Authority on					
pages* NONE received by this Authority on					
the drawings:					
pages NONE as originally filed/furnished					
pages* NONE received by this Authority on					
a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.					
3. The amendments have resulted in the cancellation of:					
the description, pages					
the claims, Nos					
the drawings, sheets/figs					
the sequence listing (specify):					
any table(s) related to the sequence listing (specify):					
4 7 7 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).					
the description, pages					
the claims, Nos					
the drawings, sheets/figs					
the sequence listing (specify):					
any table(s) related to the sequence listing (specify):					
* If item 4 applies, some or all of those sheets may be marked "superseded."					

Form PCT/IPEA/409 (Box No. I) (April 2005)

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
1. Statement							
Novelty (N)	Claims 2-10, 12-22	YES					
	Claims 1,11	NO					
Inventive Step (IS)	Claims 2 10 12 22	YES					
inventive step (13)	Claims 2-10, 12-22 Claims 1,11	NO					
Industrial Applicability (IA)	Claims 1-22	YES					
	Claims NONE	NO					
claimed in Scheme 1 on p. 2447. Shevchuk et al. als where the corresponding sapphyrins of 6-9 of schem pharmaceutical formulations ahnd thus are considered.  Claims 2-10 and 12-22 meet the criteria set out in Pocompounds or composition claimed.	e 1 are washed with NaHCO3 and water. These s d pharmaceutical carriers.	olutions are commonly used in					
Claims 1-22 meet the criteria set out in PCT Article be made or used in industry.  NEW CITATIONS		se the subject matter claimed can					
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Form PCT/IPEA/409 (Box No. V) (April 2005)





## PCT/US04/10481

## Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The drawings are objected to under PCT Rule 66.2(a)(iii) as containing the follwing defect(s) in the form or content thereof: The figuresa are labeled starting with 11 and ending with 15 when the figures should be properly labeled starting with 1 and ending with 5.

The description is objected to as containing the following defect(s) under PCT Rule 66.2(a)(iii) in the form or contents thereof: the type font under the definition of pharmaceutically acceptable salts is not legible.

Claims 8, 11 and 12 are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof: Claim 8 contains formula! that is indiscernible because a portion of the formula is missing; claims 11 and 12 contain illegible font.

Form PCT/IPEA/409 (Box No. VII) (April 2005)